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United States of America
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 PEDRO DUARTE SANCHEZ ET AL,
15 Defendants.

CASE NO. 1:22-CR-00305-JLT-SKO
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER
DATE: June 21, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

16
17 STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status conference on June 21, 2023.
21 2. By this stipulation, defendants now moves to continue the status conference until August
22 30, 2023, and to exclude time between June 21, 2023, and August 30, 2023, under 18 U.S.C.
23 § 3161(h)(7)(A), B(iv).
24 3. The parties agree and stipulate, and request that the Court find the following:
25 a) The government has represented that the discovery associated with this case
26 includes body-worn camera, investigative reports, photographs, aerial surveillance video, and
27 other evidence. All of this discovery has been either produced directly to counsel and/or made
28 available for inspection and copying. In addition, the government has confidential discovery that

1 it has made available to defense at the government's office.

2 b) Counsel for defendants desires additional time to meet with their clients, conduct
3 independent investigation, review the discovery (including visiting the government's office to
4 review the confidential discovery), and consider a potential pretrial resolution of the case.

5 c) Counsel for defendants believe that failure to grant the above-requested
6 continuance would deny him/her the reasonable time necessary for effective preparation, taking
7 into account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of June 21, 2023 to August 30, 2023,
14 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results
15 from a continuance granted by the Court at defendant's request on the basis of the Court's
16 finding that the ends of justice served by taking such action outweigh the best interest of the
17 public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
19 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
20 must commence.

21 IT IS SO STIPULATED.

22
23 Dated: June 14, 2023

PHILLIP A. TALBERT
United States Attorney

24
25 /s/ JUSTIN J. GILIO
26 JUSTIN J. GILIO
27 Assistant United States Attorney
28

1 Dated: June 14, 2023

/s/ Michael Garey

2 Michael Garey

Counsel for Defendant

PEDRO DUARTE SANCHEZ

3

4 Dated: June 14, 2023

/s/ David A. Torres

5 David A. Torres

6 Counsel for Defendant

7 LUIS ENRIQUE HIGUERA

LOPEZ

8 Dated: June 14, 2023

/s/ Ryan Roth

9 Ryan Roth

10 Counsel for Defendant

11 VANESSA ARAUZA

12 **ORDER**

13 IT IS SO ORDERED.

14

15 DATED: 6/15/2023

Sheila K. Oberto

16 THE HONORABLE SHEILA K. OBERTO
17 UNITED STATES MAGISTRATE JUDGE